

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DKZ

IN RE:

HOLOCAUST VICTIM ASSETS
LITIGATION

This document relates to: All Cases

Case No. CV 96-4849 (ERK)(MDG)
(Consolidated with CV 96-5161 and
CV 97-461)

MEMORANDUM & ORDER

FILED
IN CLERKS OFFICE
U.S. DISTRICT COURT ED. N.Y.
★ MAY 17 2006 ★

Korman, Chief Judge:

P.M. _____
TIME A.M. _____

I am in receipt of the May 12, 2006 Report and Recommendations of the International Organization for Migration (IOM) for the Nineteenth Group of Claims in In Re Holocaust Victim Assets Litigation (Swiss Banks) ("Nineteenth IOM Report") that includes 190 Slave Labor Class I Direct and Overlap claims and 115 HVAP Slave Labor Class II Direct and Overlap claims that are being recommended for rejection under the Swiss Banks Settlement Agreement because the claims do not satisfy the eligibility requirements as indicated of the Nineteenth IOM Report. Specifically, with regard to Slave Labor Class I, the claimants submitted claims on behalf of victims who died prior to 16 February 1999, were determined not to be Swiss Banks target group members, did not plausibly demonstrate that they performed involuntary labor for the Nazi Regime or filed duplicate claims with the Claims Conference or IOM. As for Slave Labor Class II, the claimants' names do not appear on the Slave Labor Class II Name List nor have the claimants plausibly demonstrated that they performed involuntary labor for a company appearing on the Slave Labor Class II List.

The Nineteenth IOM Report advises that the following claims are being recommended for rejection:

- 121 Slave Labor Class I Direct claims;
- 69 Slave Labor Class I Overlap claims;
- 56 Slave Labor Class II Direct claims;
- 59 Slave Labor Class II Overlap claims;

All of the 305 individuals described in the Nineteenth IOM Report fail to satisfy the eligibility criteria as stated in the Swiss Banks Settlement Agreement, the Distribution Plan and the HVAP Rules as adopted by the Court in its implementing orders. IOM has filed with the Court reports summarizing, for each claimant or group of similarly situated claimants, the basis or bases for its recommendation for rejection. In the interest of privacy, each claimant is identified in the summary report by claim number rather than by name. The names and addresses of these claimants have been filed with the Court under seal in an exhibit accompanying the Nineteenth IOM Report. Accordingly, it is hereby

ORDERED that the 305 claims recommended for rejection in IOM's Nineteenth Report are denied.

SO ORDERED:

s/ Edward R. Korman

Edward R. Korman
United States District Judge

Dated: Brooklyn, New York
May 16, 2006